

Form PTO-1390
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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

J007 PCT/PTO 22 FEB 2002
ATTORNEY'S DOCKET NUMBER

P21989

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/049626

INTERNATIONAL APPLICATION NO.

PCT/JP00/05711

INTERNATIONAL FILING DATE

24 August 2000

PRIORITY DATE CLAIMED

25 August 1999

TITLE OF INVENTION
METHOD OF DETECTING AND QUANTITATING MICROORGANISM HAVING SPECIFIC FUNCTION AND ITS GENE FROM NATURAL ENVIRONMENT, NOVEL 16 SrRNA GEE DATA AND PROBES

APPLICANT(S) FOR DO/EO/US

Akihiko MARUYAMA, Takanori HIGASHIHARA, Hiroyuki ISHIWATA, and Tsunemi FUJITA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3))
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
"Unexecuted"
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (U.S.C. 371(c)(5)).

Items 11 to 16 below concern other document(s) or information included:

11. Assignee: NATIONAL INSTITUTE OF ADVANCED INDUSTRIAL SCIENCE AND TECHNOLOGY of Tokyo, JAPAN
12. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
13. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
14. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ Figure of Drawing to be published _____
18. ☒ Other items or information:
 - Cover Sheet and International Application as published in Japanese.
 - PCT/RO/101-PCT Request(in Japanese).
 - PCT/IB/304.
 - PCT/IB/308.
 - PCT/IB/338.
 - PCT/IPEA/409(in English and Japanese).
 - PCT/IPEA/416(in Japanese).
 - PCT/ISA/210(in English and Japanese).
 - Paper Copy of Sequence Listing.
 - Computer-Readable Copy of Sequence Listing.
 - Cover Letter under 35 U.S.C. 371 and 1.495.
 - Claim of Priority.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/04962	PCT/JP00/05711	P21989

19. The following fees are submitted:				CALCULATIONS	PTO USE ONLY
<p>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</p> <p>Search report has been prepared by the EPO or JPO. \$ 890.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482). \$ 710.00</p> <p>No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO(37 CFR 1.445(a)(2)). \$ 740.00</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO. \$1,040.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4). \$ 100.00</p> <p>ENTER APPROPRIATE BASIC FEE AMOUNT =</p>				\$890.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than ___ 20 ___ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	RATE		
Total Claims	43 - 20 =	23	X \$18.00	\$414.00	
Independent Claims	3 - 3 =	0	X \$84.00	\$0.00	
Multiple dependent claim(s) (if applicable)			+ \$280.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$1304.00	
___ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$1304.00	
Processing fee of \$130.00 for furnishing the English translation later than ___ 20 ___ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	
Extension of Time fee in the amount of \$					
TOTAL NATIONAL FEE =				\$1304.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	
TOTAL FEES ENCLOSED =				\$1304.00	
				Amount to be refunded	\$
				Charged	\$

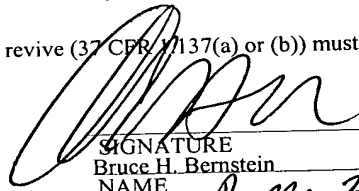
- a. ☒ A check in the amount of \$1304.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0089.
- NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO CUSTOMER NO. 7055
AT THE PRESENT ADDRESS OF:
Bruce H. Bernstein
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07055

PATENT TRADEMARK OFFICE


SIGNATURE
Bruce H. Bernstein
NAME
Reg No. 33,094
29,027
REGISTRATION NUMBER

P21989.P02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :A. MARUYAMA et al.

Appl. No :Not Yet Assigned
(U.S. National Phase of PCT/JP00/05711)

I.A.Filed:August 24, 2000

For :METHOD OF DETECTING AND QUANTITATING MICROORGANISM HAVING
SPECIFIC FUNCTION AND ITS GENE FROM NATURAL ENVIRONMENT, NOVEL
16 SrRNA GEE DATA AND PROBES

**COVER LETTER ACCOMPANYING U.S. NATIONAL STAGE PATENT
APPLICATION FILED UNDER 35 U.S.C. 371
AND 37 C.F.R. 1.495**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

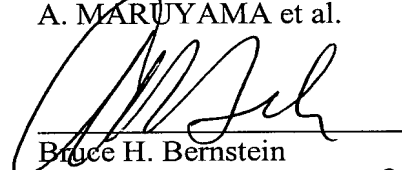
Enclosed is a new National Stage patent application for filing in the U.S. Patent and Trademark Office under 35 U.S.C. 371 and 37 C.F.R. 1.495. The Declaration and Power of Attorney attached thereto are in unexecuted form. A properly executed Declaration and Power of Attorney will be filed within the period of time set in a Notification to be mailed by the United States Patent and Trademark Office.

Related to this, a correspondence address is provided in
the unexecuted Declaration and Power of Attorney, and is as follows:

GREENBLUM & BERNSTEIN, P.L.C.
1941 Roland Clarke Place
Reston, Va. 20191

If there any questions pertaining to this National Stage Application, please contact the undersigned.

Respectfully submitted,
A. MARUYAMA et al.


Bruce H. Bernstein
Reg. No. 29,027
Ref. No. 33,094

February 22, 2002
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PATENT APPLICATION SERIAL NO. 18/049626

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

02/28/2002 UEDUVIJE 00000083 10049626

01 FC:970
02 FC:966

890.00 OP
414.00 OP